

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 26 September 2003
Name of applicant/court: The District Court at Manukau
Applicant to the Labelling Body: Not Applicable
Title of Publication: Luv Wave
Other Known Title(s): Optical disk entitled "Luv Wave 1+2+3" - disk reference number DA1013
Director(s): Not Stated
Producer(s): Not Stated
Publisher: Not Applicable
Author(s): Not Applicable
Format: VCD
Country of Origin: Japan
Language(s): Japanese With Chinese Subtitles

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Components of film originally examined:

Feature:	Luv Wave	Running Time:	77.20
Trailers:	Nil	Running Time:	
		Total Running Time:	77.20

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The VCD entitled *Luv Wave* is classified as:
Objectionable.

This classification is because the publication tends to promote and support the exploitation of young persons for sexual purposes, promotes and supports the use of violence or coercion to compel any person to participate in, or submit to, sexual conduct and promotes and supports acts of torture and the infliction of extreme violence.

The publication comprises one Japanese animated feature, which contains explicit depictions of female characters being raped and having violent acts perpetrated against them. The publication clearly presents violence, especially sexual violence as a sexually arousing and viable activity. The feature also presents explicit images of a young person engaging in sexual activity. Thus the publication creates the impression that young persons are valid sexual partners.

The classification of this publication interferes with the freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that tend to promote and support the exploitation of young persons for sexual purposes, and that promote and support the use of violence or coercion to compel any person to participate in, or submit to, sexual conduct, and that promote and support acts of torture or the infliction or extreme violence.

OFLC No: 301059